

AFTER FINAL - EXPEDITED HANDLING REQUESTED
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dorit WOLF, Olga GERLACH and
Manfred BAERNS

Conf. No.: 8471

Appln. No.: 09/909,038

Art Unit: 1631

Filed: July 19, 2001

Examiner: ZHOU, S.

For: PROCESS FOR PRODUCTION AND SELECTION OF NEW
CATALYSTS USING AN EVOLUTIONARY PROCESS

Attorney Docket No.: 3975.003

Customer Number: 000041288

DECLARATION OF DORIT WOLF UNDER 37 C.F.R. §1.131

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Dorit Wolf, of Camp-King-Allee 8, D-61440 Oberursel, Germany, declare and state as follows:

1. I am a co-inventor of the invention disclosed and claimed in the above-identified application for U.S. Patent, Application Serial Number 09/909,038.

2. I am familiar with the Final Office Action mailed on May 3, 2004 in the above-identified application, including the rejection of claims 10-17 for alleged obviousness under 35 U.S.C. § 103(a) over Wolf et al. (WO 00/15341, IDS document), which reference is cited by the Examiner as having an effective date of March 23, 2000.

3. That prior to January 9, 2000, I co-authored a manuscript titled "An evolutionary approach in the combinatorial

U.S. PATENT APPLICATION
SERIAL NO.: 09/909,038
DECLARATION UNDER 37 C.F.R. §1.131

ATTY DOCK: 3975.003

selection and optimization of catalytic material", which sets forth a reduction to practice (see particularly Figures 1-3 and Tables 3 and 4 therein) of the invention disclosed in the above-identified application for patent.

4. That the above-mentioned manuscript was submitted for publication to the journal Applied Catalysis A:General (Elsevier Science B.V.) and was received by the journal on January 9, 2000, as shown on the first page of the resulting publication, which was published on August 28, and a copy of which is appended hereto.

5. I therefore declare that the invention disclosed and claimed in the above-identified application for U.S. Patent, Application Serial Number 09/909,038, was reduced to practice prior to January 9, 2000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Date: August 1, 2004

Dorit Wolf
Dorit Wolf
Camp-King-Allee 8
D-61440 Oberursel
Germany

AFTER FINAL - EXPEDITED HANDLING REQUESTED
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dorit WOLF, Olga GERLACH and
Manfred BAERNNS

Conf. No.: 8471

Appln. No.: 09/909,038

Art Unit: 1631

Filed: July 19, 2001

Examiner: ZHOU, S.

For: PROCESS FOR PRODUCTION AND SELECTION OF NEW
CATALYSTS USING AN EVOLUTIONARY PROCESS

Attorney Docket No.: 3975.003

Customer Number: 000041288

DECLARATION OF MANFRED BAERNNS UNDER 37 C.F.R. §1.131

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Manfred Baerns, of Hüninger Str. 25, D-14195 Berlin,
Germany, declare and state as follows:

1. I am a co-inventor of the invention disclosed and claimed in the above-identified application for U.S. Patent, Application Serial Number 09/909,038.
2. I am familiar with the Final Office Action mailed on May 3, 2004 in the above-identified application, including the rejection of claims 10-17 for alleged obviousness under 35 U.S.C. § 103(a) over Wolf et al. (WO 00/15341, IDS document), which reference is cited by the Examiner as having an effective date of March 23, 2000.
3. That prior to January 9, 2000, I co-authored a manuscript titled "An evolutionary approach in the combinatorial

U.S. PATENT APPLICATION
SERIAL NO.: 09/909,038
DECLARATION UNDER 37 C.F.R. §1.131

ATTY DOCK: 3975.003

selection and optimization of catalytic material", which sets forth a reduction to practice (see particularly Figures 1-3 and Tables 3 and 4 therein) of the invention disclosed in the above-identified application for patent.

4. That the above-mentioned manuscript was submitted for publication to the journal Applied Catalysis A:General (Elsevier Science B.V.) and was received by the journal on January 9, 2000, as shown on the first page of the resulting publication, which was published on August 28, and a copy of which is appended hereto.

5. I therefore declare that the invention disclosed and claimed in the above-identified application for U.S. Patent, Application Serial Number 09/909,038, was reduced to practice prior to January 9, 2000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Date: 27 July 2004

Manfred Baerns
Manfred Baerns
Hüninger Str. 25
D-14195 Berlin
Germany

AFTER FINAL - EXPEDITED HANDLING REQUESTED
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dorit WOLF, Olga GERLACH and
Manfred BAERNIS

Conf. No.: 8471

Appln. No.: 09/909,038

Art Unit: 1631

Filed: July 19, 2001

Examiner: ZHOU, S.

For: PROCESS FOR PRODUCTION AND SELECTION OF NEW
CATALYSTS USING AN EVOLUTIONARY PROCESS

Attorney Docket No.: 3975.003

Customer Number: 000041288

DECLARATION OF OLGA GERLACH UNDER 37 C.F.R. §1.131

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Olga Gerlach, of Am Weidenschlag 18, D-67071 Ludwigshafen, Germany declare and state as follows:

1. I am a co-inventor of the invention disclosed and claimed in the above-identified application for U.S. Patent, Application Serial Number 09/909,038.

2. I am familiar with the Final Office Action mailed on May 3, 2004 in the above-identified application, including the rejection of claims 10-17 for alleged obviousness under 35 U.S.C. § 103(a) over Wolf et al. (WO 00/15341, IDS document), which reference is cited by the Examiner as having an effective date of March 23, 2000.

3. That prior to January 9, 2000, a manuscript titled "An evolutionary approach in the combinatorial selection and

U.S. PATENT APPLICATION
SERIAL NO.: 09/909,038
DECLARATION UNDER 37 C.F.R. §1.131

ATTY DOCK: 3975.003

optimization of catalytic material", which sets forth a reduction to practice (see particularly Figures 1-3 and Tables 3 and 4 therein) of the invention disclosed in the above-identified application for patent was prepared.

4. That the above-mentioned manuscript was submitted for publication to the journal Applied Catalysis A:General (Elsevier Science B.V.) and was received by the journal on January 9, 2000, as shown on the first page of the resulting publication, which was published on August 28, and a copy of which is appended hereto.

5. I therefore declare that the invention disclosed and claimed in the above-identified application for U.S. Patent, Application Serial Number 09/909,038, was reduced to practice prior to January 9, 2000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Date:

August 16, 2004

Olga Gerlach
Olga Gerlach
Am Weidenschlag 18
D-67071 Ludwigshafen
Germany